

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**WANDA WILLIAMS, *individually  
and as Conservator for John Robert  
Williams, Jr., incapacitated***

**PLAINTIFF**

**v.**

**Civil No. 1:14-cv-383-HSO-JCG**

**MANITOWOC CRANES, LLC**

**DEFENDANT**

**AMENDED CASE MANAGEMENT ORDER**

This case is before the undersigned Magistrate Judge pursuant to the [249] Order Denying Plaintiff's Motion for Rule 37 Sanctions, Continuing Case, and Denying Without Prejudice Remaining Pending Motions, issued by United States District Court Judge Halil S. Ozerden on January 12, 2016. Judge Ozerden continued the pretrial conference and jury trial in this matter and directed that discovery be reopened in order to "permit both sides a full and fair opportunity to discover and prepare their respective cases for trial or settlement." Order [249] at pp. 8-9. The undersigned conducted a Telephonic Case Management Conference with the parties on January 20, 2016, in order to facilitate the entry of an Amended Case Management Order.

At the Telephonic Case Management Conference, Plaintiff's counsel plainly represented that Plaintiff does not desire to designate additional experts or to engage in general discovery. Plaintiff is resolved to rest upon the experts she has already designated and their corresponding reports which have already been provided to Defendant. The reports of Plaintiff's experts William Singhose, Ph.D.; Joshua Vaughan, Ph.D.; and Khalid Sorensen, Ph.D., were provided to Defendant on July 15, 2015. On October 13, 2015, Plaintiff produced to Defendant second reports by

Singhose, Vaughan, and Sorensen, characterizing these reports as “rebuttal reports.” *See* Exs. [169-2] [169-4] [169-6]. Defendant maintains that the second reports contain entirely new opinions and are not proper rebuttal.

Based on Plaintiff’s representation that she does not desire to designate additional experts or need to engage in general discovery, Defendant does not object to Plaintiff’s suggestion that the scope of discovery be limited and tailored around the second reports of Singhose, Vaughan, and Sorensen. Having established the following deadlines and discovery limitations with the participation of all parties, and the parties agreeing to the scope and methods of discovery detailed below, the Court amends the Case Management Order as follows:

- a. Defendant’s deadline for deposing Singhose, Vaughan, and Sorensen regarding their second reports is **February 28, 2016**;
- b. Defendant’s deadline to submit rebuttal expert reports in response to the second reports and second depositions of Singhose, Vaughn, and Sorensen is **March 15, 2016**. This is also the deadline for Defendant to designate any new experts in response to the second reports and second depositions of Singhose, Vaughn, and Sorensen.
- c. Plaintiff will have until **April 15, 2016**, to depose Defendant’s experts who submit a second report or to depose new experts designated by Defendant.
- d. All dispositive motions and *Daubert*-type motions challenging another party’s expert must be filed by **May 16, 2016**.
- e. A Settlement Conference is set for **July 6, 2016**, at 1:30 p.m. in

Gulfport, Mississippi, before United States Magistrate Judge John C. Gargiulo. Seven (7) days before the settlement conference, the parties must submit via email to Judge Gargiulo's chambers (gargiulo\_chambers@mssd.uscourts.gov) an updated CONFIDENTIAL SETTLEMENT MEMORANDUM. All parties are required to be present at the settlement conference unless excused by the Court. If a party believes the scheduled settlement conference would not be productive and should be cancelled, the party is directed to inform the Court via email of the grounds for their belief at least (7) days prior to the conference.

- f. The Pretrial Conference is reset to September 20-22, 2016, at 9:00 a.m., in Gulfport, Mississippi, before United States District Judge Halil S. Ozerden.
- g. This action is set for jury trial beginning on October 17, 2016, at 9:00 a.m., in Gulfport, Mississippi, before United States District Judge Halil S. Ozerden. The parties indicated at the January 20, 2016, Telephonic Case Management Conference that there are no conflicts with this trial date.

**SO ORDERED**, this the 20th day of January, 2016.

*s/ John C. Gargiulo*  
JOHN C. GARGIULO  
UNITED STATES MAGISTRATE JUDGE